

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inst.: Cayeula et al. Confirmation No.: 5142
 Appln No.: 09/856,969 Group No.: 1645
 Filed: August 1, 2001 Examiner: Jana A. Hines
 For: SELECTION AND USES OF LACTIC ACID BACTERIA STRAINS
 MODULATING NON-SPECIFIC IMMUNITY

Mail Stop RCE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

PETITION AND FEE FOR EXTENSION OF TIME 37 C.F.R. § 1.136(a)

1. This is a petition for an extension of time for a total period of five months to respond to the Office Action dated December 11, 2004.
2. Applicant is a small entity; other than a small entity.
3. Calculation of extension fee (37 C.F.R. § 1.17(a)(1)-(a)(5)):

| <u>Total Months Requested</u> | <u>Fee for Other Than Small Entity</u> |
|-------------------------------|--|
| Five months | \$2,160.00 |

*Cannot be used to exceed six-month statutory limit for response to an Official Action.

- A check in the amount of \$2,160.00 is enclosed.
- Charge Deposit Account No. 16-0605 for the extension fee.
- Charge Deposit Account No. 16-0605 for any fee deficiency.

Respectfully submitted,

Raymond O. Linker, Jr.
 Registration No. 26,419

12/21/2004 KBETEMA1 00000078 09856969

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2160.00 OP

Customer No. 00826
ALSTON & BIRD LLP
 Bank of America Plaza
 101 South Tryon Street, Suite 4000
 Charlotte, NC 28280-4000
 Tel Charlotte Office (704) 444-1000
 Fax Charlotte Office (704) 444-1111

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 17, 2004.

Janet F. Sherrill